



PATENT
81476-306897

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Seth D. Levy

Name

Signature

7/9/04

Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Henry C. LIN *et al.*

Serial No.: 09/837,797

Filing Date: April 17, 2001

Related App. Serial No.: 09/374,142

Related App. Filing Date: August 11, 1999

For: *METHODS OF DIAGNOSING AND
TREATING SMALL INTESTINAL BACTERIAL
OVERGROWTH (SIBO) AND SIBO-RELATED
CONDITIONS*

) Art Unit: 1645

) Examiner: Rodney P. Swartz

) **TERMINAL DISCLAIMER**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Your Petitioner, CEDARS-SINAI MEDICAL CENTER, having its principal place of business at 8700 Beverly Boulevard, Los Angeles, California 90048, represents that it is the owner of the entire right, title, and interest in and to U.S. patent application serial No.

09/374,142, filed August 11, 1999 (the "Related Application"), by virtue of an Assignment executed on August 9, 1999 by inventors Henry C. Lin and Mark Pimentel, and recorded in the U.S. Patent Office at Reel 010172, Frame 0605 *et seq.* The assignment documents have been reviewed, and CEDARS-SINAI MEDICAL CENTER certifies that to the best of its knowledge and belief, title to the Related Application is in CEDARS-SINAI MEDICAL CENTER (37 CFR 3.73(b)).

CEDARS-SINAI MEDICAL CENTER also represents that it is the assignee of the entire right, title, and interest in and to the above-identified patent application (serial No. 09/837,797), filed April 17, 2001), by virtue of an Assignment executed on August 9, 1999 by inventors Henry C. Lin and Mark Pimentel, and recorded in the U.S. Patent Office at Reel 012084, Frame 0559 *et seq.* The assignment documents have been reviewed, and CEDARS-SINAI MEDICAL CENTER certifies that to the best of its knowledge and belief, title to this application is in CEDARS-SINAI MEDICAL CENTER (37 CFR 3.73(b)).

CEDARS-SINAI MEDICAL CENTER hereby disclaims the terminal part of any patent granted on the above-identified application which would extend beyond the date of the full statutory term of any patent granted on the Related Application. CEDARS-SINAI MEDICAL CENTER hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be held by the same entity holding the legal title to the Related Application and any patent granted thereon. This agreement is to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors, or assigns.

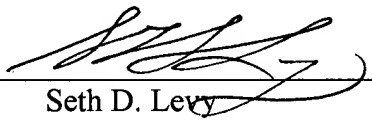
CEDARS-SINAI MEDICAL CENTER does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term of any patent granted on the Related Application in the event that it later: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid; is statutorily

disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a); has all claims canceled by a reexamination certificate; is reissued; or is otherwise terminated prior to expiration of its statutory term.

I hereby aver that I have the authority of CEDARS-SINAI MEDICAL CENTER to make all statements, representations, and agreements set forth herein and that I am empowered to sign this document on behalf of CEDARS-SINAI MEDICAL CENTER.

A check for \$55.00 as the filing fee for this Terminal Disclaimer on the small entity fee scale is enclosed. Please charge any insufficiency or credit any overpayment to Deposit Account No. 16-1805.

Date: July 9, 2004

By: 
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